

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL JOHNSON, et al.,

Plaintiffs,

CIVIL ACTION NO. 11-15039

v.

DISTRICT JUDGE AVERN COHN

WAYNE COUNTY CORPORATION,
et al.,

MAGISTRATE JUDGE MARK A. RANDON

Defendants.

_____ /

ORDER DENYING PLAINTIFF'S
MOTION TO PROCEED *IN FORMA PAUPERIS*

This matter is before the Court on Plaintiff Daniel Johnson's Motion to Proceed *In Forma Pauperis*. (Dkt. #21). Johnson, a prisoner, paid the initial filing fee, but says he can no longer afford the costs of the proceeding.

Pursuant to 28 U.S.C. §1915(a):

- (1) [a]ny court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress.
- (2) A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined.

Johnson already prepaid the filing fee to begin his lawsuit. Further, Johnson did not comply with 28 U.S.C. §1915(a)(2); he did not submit his trust fund account statement from the prison. Therefore, Johnson's motion is **DENIED**.

s/Mark A. Randon

Mark A. Randon

United States Magistrate Judge

Dated: June 27, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, June 27, 2012, by electronic and/or ordinary mail.

s/Melody Miles

Case Manager